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The following constitutes  
the order of the court. Signed July 22, 2013

Attorneys for Debtors

  
Roger L. Efremsky  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA

In re:

Case No. 08-41341 RE

WILLIAM WALTER JAMES and  
KELLEY RAE JAMES,

Chapter 13

Debtors.

ORDER DEEMING DEBTORS CURRENT  
ON ALL PRE-PETITION DEFAULT  
AND POST-PETITION AMOUNTS DUE  
TO CREDITOR PNC BANK AS  
SUCCESSOR TO NATIONAL CITY  
MORTGAGE AND AWARD OF  
ATTORNEY'S FEES

On June 27, 2013, William and Kelley James (hereinafter Debtors) served a motion to deem that debtors are current on all pre-petition default and post-petition amounts incurred from March 21, 2008 to June 26, 2013 due to PNC Bank as successor to National City Mortgage (hereinafter First Mortgage Creditor), as related to its loan, as evidenced by its proof of claim filed in the instant case which was designated as court claim #1, for the property located at 572 Bing Ct., Brentwood, CA 94513 (hereinafter Property), as well as requested attorney's fees incurred in bringing this motion due to the failure of First Mortgage Creditor to respond to the Chapter 13 Trustee's Notice of Final Cure Payment as required by Federal Rule of Bankruptcy Procedure 3002.1(g).

1       The court finds that notice of the motion upon First Mortgage  
2 Creditor was proper. First Mortgage Creditor having failed to file  
3 timely opposition to Debtors' motion, the court hereby orders as  
4 follows pursuant to Federal Rule of Bankruptcy Procedure 3002.1(h) and  
5 3002.1(i):

6       (1) Debtors are deemed current on all pre-petition default and  
7 post-petition amounts incurred from March 21, 2008 to June 26, 2013  
8 due to PNC Bank as successor to National City Mortgage, as related to  
9 its loan, as evidenced by its proof of claim filed in the instant case  
10 which was designated as court claim #1.

11       (2) The Law Offices of Patrick L. Forte is awarded attorney's in  
12 the amount of \$875 which will be the sole responsibility of First  
13 Mortgage Creditor to pay and which may not be, in any way, added to  
14 Debtors' loan as this fee was incurred in bringing this motion due to  
15 the failure of First Mortgage Creditor to respond to the Chapter 13  
16 Trustee's Notice of Final Cure Payment as required by Federal Rule of  
17 Bankruptcy Procedure 3002.1(g).

18  
19                               \*\*\* END OF ORDER \*\*\*  
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21  
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COURT SERVICE LIST

Attn: Officer  
PNC Bank  
222 Delaware Avenue  
Wilmington, DE 19899

Attn: Officer  
PNC Mortgage, a Division of PNC Bank, NA  
3232 Newmark Dr.  
Miamisburg, OH 45342

Attn: Christine Oxley  
3232 Newmark Drive  
Mail Stop B6-YM07-01-8  
Dayton, OH 45342

Attn: Officer or Managing Agent  
Attn: Bankruptcy Department  
National City Mortgage Company  
3232 Newmark Dr.  
Miamisburg, OH 45342